

Laura Ferguson

From: Adams, Kent
Sent: Thursday, July 21, 2016 4:17 PM
To: 'Robert Warburton'; Mark C. Dow
Cc: Gordon Rowe; Jack Brant; David Berardinelli; Cynthia Weisman
Subject: RE: Enloe, et al. v ASIC

Bob,
Yes, we need to start over in the USDC case.
Thanks, Kent

Kent Adams
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From: Robert Warburton [<mailto:RPW@stelznerlaw.com>]
Sent: Thursday, July 21, 2016 5:02 PM
To: Adams, Kent; Mark C. Dow
Cc: Gordon Rowe; Jack Brant; David Berardinelli; Cynthia Weisman
Subject: RE: Enloe, et al. v ASIC

Kent,
This includes suspending responses to written discovery. Correct?

Bob

From: Adams, Kent [<mailto:Kent.Adams@wilsonelser.com>]
Sent: Thursday, July 21, 2016 2:57 PM
To: Mark C. Dow
Cc: Gordon Rowe; Robert Warburton; Jack Brant; David Berardinelli; Cynthia Weisman
Subject: Re: Enloe, et al. v ASIC

Yes sir. Clean slate. We'll need to conduct a Rule 26 conference in the near future.

Thanks,
Kent

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Sent from my iPhone

On Jul 21, 2016, at 9:52 PM, Mark C. Dow <mcd@bdsfirm.com> wrote:

Kent:

As I understand your email, it is your position that all pending discovery is suspended until the parties agree to a new scheduling order? Please confirm,

Mark

Very truly yours,

Mark C. Dow, Esq.

Bauman, Dow & Stambaugh, P.C.
7309 Indian School Road NE
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From: Adams, Kent [mailto:Kent.Adams@wilsonelser.com]

Sent: Thursday, July 21, 2016 2:00 PM

To: Mark C. Dow <mcd@bdsfirm.com>

Cc: Gordon Rowe <growe@rowelawfirm.com>; Robert Warburton <RPW@stelznerlaw.com>; Jack Brant <jack@jbrantlaw.com>; David Berardinelli <david@djblawfirm.com>; Cynthia Weisman <cw@bdsfirm.com>

Subject: Re: Enloe, et al. v ASIC

July 21, 2016

Mark,

We are not in agreement but we look forward to working out a new scheduling order with all concerned.

I'm in France, back in my office August 4. We should get all on a conf call after August 4. This will also give the newest defendants an opportunity to participate. As you know I advised all of my concerns about proceeding with depositions before all the parties you sued had appeared and noted my objections on the record.

Look forward to discussing a proposed scheduling order we can all agree to following my return from vacation.

Thanks, Kent

Kent M. Adams
Regional Managing Partner

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Sent from my iPhone

On Jul 21, 2016, at 8:24 PM, Mark C. Dow <mcd@bdsfirm.com> wrote:

Gordon & Kent:

While I understand that you have removed the consolidated cases of Enloe, LANB and Pierce to federal court, we see no reason to delay discovery and are intent on continuing to pursue the depositions of the claims adjusters that all have agreed and scheduled since early this summer in Minnesota, unless we hear from you otherwise. The scheduled depositions are:

September 13, 2016 Wayne Everson

September 14, 2016 Dan Ryan

September 15, 2016 Theresa Gooley.

Please confirm that these depositions are to remain scheduled no later than close of business Friday, July 22, 2015. Bod Warburton and I have booked flights and hotels for travel and lodging and need to know forthwith whether you intend carry through with these depositions so we are not financially penalized by rescheduling. Your earliest confirmation is important given the long history of scheduling these depositions starting as t April 2016.

Very truly yours,

Mark C. Dow, Esq.

Bauman, Dow & Stambaugh, P.C.

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